

DOCKET NO. 9958-002-27 CONT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: JOHN N. SHANNON, ET AL. ART UNIT: 1632

SERIAL NO.: 09/811,509

EXAMINER: CHEN, SHIN LIN

FILING DATE: MARCH 20, 2001

FOR: METHODS AND ORGANISMS FOR CONCENTRATING AND  
RECOVERING METAL SAND MINERALS FROM AQUEOUS MEDIA

**SUPPLEMENTAL RESPONSE**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

This Supplemental Response is submitted further to the Response filed March 3, 2003  
(March 2, 2003 being a Sunday) in answer to the Office Action dated December 2, 2002.

**REMARKS**

Applicants herewith submit a Declaration under 37 C.F.R. §1.132, which is directed to the present rejection of Claims 23, 26, 28, 29 and 31, under 35 U.S.C. §112, first paragraph and particularly to the Examiner's argument that the subject matter of the rejected claims was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The Declaration of Dr. Martin Alan Winkler, Ph.D., which is submitted under 35 C.F.R. §1.132 supports the Applicants' earlier filed remarks, which maintain that the teaching of the present application is fully enabling to teach one of ordinary skill in the art how to